



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/041,949	01/07/2002	Burbank	265/064

22249  
LYON & LYON LLP  
633 WEST FIFTH STREET  
SUITE 4700  
LOS ANGELES, CA 90071

COPY OF PAPERS  
ORIGINALLY FILED

CONFIRMATION NO. 5362

FORMALITIES LETTER



\*OC000000007477556\*

Date Mailed: 02/14/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- o Total additional claim fee(s) for this application is \$42.
  - \$42 for 1 independent claims over 3.
- o The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 477.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- o Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

07/03/2002 MASSACHUSETTS 00000014 12249 1001193

01 FC:203

9.00 CH

07/03/2002 14/24/2002  
01 FC:203 11 FC:201  
02 FC:202 12 FC:202  
03 FC:203 13 FC:203  
370.00 00  
42.00 00  
65.00 00

*A copy of this notice MUST be returned with the reply.*



---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



COPY OF PAPERS  
ORIGINALLY FILED

MP #  
Patent  
Attorney Docket: 265/064 3

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**Burbank et al.**

**Serial No.: 10/041,949**

Filed: January 7, 2002

For: SYSTEMS AND METHODS FOR  
PERFORMING BLOOD PROCESSING  
AND/OR FLUID EXCHANGE  
PROCEDURES

Group Art Unit: 3762

Examiner: Not yet assigned

TRANSMITTAL OF MISSING PARTS

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

**I. DOCUMENTS ENCLOSED:**

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR § 1.53(f)**, which was mailed by the Patent Office on February 14, 2002, enclosed are:

- ☒ Declaration
- ☒ Power of Attorney: ☒ Separate or ☐ Combined with Declaration
- ☒ Assignment of the invention to NxStage Medical, Inc. (together with PTO Form 1595)
- ☒ A copy of the Notice to File Missing Parts of Application under 37 CFR § 1.53(f)

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

April 15, 2002  
Date of Deposit

*Cynthia B. Pacheco*  
Cynthia B. Pacheco

## II. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two months	\$200.00	\$400.00
<input type="checkbox"/> three months	\$460.00	\$920.00
<input type="checkbox"/> four months	\$720.00	\$1,440.00
<input type="checkbox"/> five months	\$980.00	\$1,960.00

**Fee**

- ☒ If any extension fee is required, please consider this a petition therefor.

## III. FILING FEES

- ☒ Applicant claims small entity status pursuant to 37 CFR 1.27.

<b>BASIC FILING FEE:</b>						\$740.00
Total Claims	20	-	20	=	0	x \$18.00 \$0.00
Independent Claims	4	-	3	=	1	x \$84.00 \$84.00
Multiple Dependent Claims	\$280	(if applicable)				<input type="checkbox"/> \$0.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)				<input checked="" type="checkbox"/> \$130.00
<b>TOTAL OF ABOVE CALCULATIONS</b>						\$954.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.						<input checked="" type="checkbox"/> \$477.00
Extension of Time (from above)						\$0.00
Assignment -- \$40 (if applicable)						<input checked="" type="checkbox"/> \$40.00
<b>TOTAL FEES SUBMITTED HERewith</b>						\$517.00

## IV. METHOD OF PAYMENT OF FEES:

- ☒ A check in the amount of \$517.00 is enclosed to cover the above fee(s).
- ☐ Charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of \_\_\_\_\_.



The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. 12-2475 for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

Dated: April 15, 2002

By: John Kappos  
John Kappos  
Reg. No. 37,861  
Attorneys for Applicants



**22249**

PATENT TRADEMARK OFFICE

LYON & LYON LLP  
Suite 4700  
633 W. Fifth Street  
Los Angeles, CA 90071  
(213) 489-1600